UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

GREGORY LYNN MOOREHEAD, SR.,)	
Petitioner,)	
vs.)	Case No. 4:15CV01648 SNLJ
EILEEN RAMEY,)	
Respondent.)	•

MEMORANDUM AND ORDER

This matter is before me on the petition for writ of habeas corpus filed by

Petitioner Gregory Lynn Moorehead, Sr. I referred this matter to United States

Magistrate Judge Noelle C. Collins for a report and recommendation on all dispositive

matters pursuant to 28 U.S.C. § 636(b). On November 20, 2018, Judge Collins filed her

recommendation that Moorehead's habeas petition should be dismissed.

Objections to Judge Collins' Report and Recommendation were filed. After careful consideration, I will adopt and sustain the thorough reasoning of Judge Collins and deny Moorehead's habeas petition for the reasons stated in the Report and Recommendation dated November 20, 2018. Petitioner's objections are overruled.

I have also considered whether to issue a certificate of appealability. To grant a certificate of appealability, the Court must find a substantial showing of the denial of a federal constitutional right. *See Tiedeman v. Benson*, 122 F.3d 518, 522 (8th Cir. 1997). A substantial showing is a showing that issues are debatable among reasonable jurists, a

Court could resolve the issues differently, or the issues deserve further proceedings. *Cox* v. *Norris*, 133 F.3d 565, 569 (8th Cir. 1997) (citing *Flieger v. Delo*, 16 F.3d 878, 882-83 (8th Cir. 1994)). Because Moorehead has not made such a showing in this case, I will not issue a certificate of appealability.

Accordingly,

IT IS HEREBY ORDERED that Judge Collins' Report and Recommendation, #16, filed November 20, 2018 is adopted and sustained in its entirety.

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus, #1, is DENIED.

IT IS FURTHER ORDERED that the Court will not issue a certificate of appealability. A separate Judgment in accordance with this Memorandum and Order is entered this same date.

Dated this 23 of January, 2018.

STEPHEN N. LIMBAUGH, JR. UNITED STATES DISTRICT JUDGE

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